

Testimony to the House Regulatory Reform Committee
October 15, 2013

My name is Roger S. Newton. I support repeal of the dietetics licensure law (House Bill No. 4688). I strongly believe that it has very negative consequences for Michigan's public health and economy.

In 2011 I was appointed to the Governor's Occupational Licensing Advisory Rules Committee (ARC) and our committee voted 10-1 to de-regulate the dietetics licensure law. There was no evidence that the law provided protection to the public; however, it was evident that the law established anti-competitive and monopolistic protection for one trade association, the Michigan Dietetic Association, which just last year changed its name to Michigan Academy of Nutrition and Dietetics.

I have both Master of Science and PhD degrees in Nutrition. I have continued to pursue continuing education in advanced nutrition through organizations that are not sponsored by the American Dietetic Association. I have taught dietitians at the university level and through continuing education courses. **This statute prohibits me from referring to myself or practicing as a "Nutritionist."** I would be required to complete 900 hours of supervised experience from a state licensed dietitian/nutritionist or other approved licensed healthcare professional.

I have spent most of my professional career in the pharmaceutical industry. At Warner-Lambert /Parke-Davis in Ann Arbor, I headed the Atherosclerosis Drug Discovery and Development Teams. I am the co-discoverer and product champion of Lipitor TM, the largest selling drug in the history of the pharmaceutical industry. I started the first Esperion Therapeutics, Inc. in July 1998 in Ann Arbor, MI, which was sold to Pfizer for \$1.3B in February 2004. I started the second Esperion in May 2008 at the Michigan Life Science and Innovation Center in Plymouth, MI. **Between the two companies, I helped to raise over \$250M in venture capital and equity financing and created more than 100 high tech, high paying jobs in Michigan.**

I am a co-founder of EsperVita Natural Products, LLC, a start-up company with the goal to research, develop, and commercialize botanical and nutritional products, some of which could be grown and manufactured here in Michigan. I need to hire the Nutritionists of my choice for this company and openly promote their titles and roles. Unless this law is repealed, I will relocate EsperVita in a different state.

I have attended and followed many of the Michigan Board of Dietetics & Nutrition (MBDN) meetings. My wife, Coco Newton, is a Registered Dietitian and Certified Clinical Nutritionist in Functional Medicine who has served on the MBDN since 2007. Her education and practice expertise far exceeds her dietetics background, and she persistently advocated for less exclusive rules, to allow other qualified nutrition professionals to be included in the law. **The MBDN would not approve any other credentials than the RD, even when provided with documentation that other nutrition credentials and certifications should warrant parity through legal recognition.**

In summary, the current statute is exclusionary, anti-competitive, and monopolistic. The ARC received no documentation of public harm without a dietetics law. The public deserves the right to choose the nutrition practitioner of their choice, and those nutrition practitioners (non-dietitians) deserve the right to continue offering their services to the public.

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